

Gerard R. Vetter  
Acting United States Trustee  
For Region 4  
1725 Duke Street, Suite 650  
Alexandria, VA 22314  
(703) 557-7229  
Jack Frankel, Attorney, VSB # 15019  
Email: [jack.i.frankel@usdoj.gov](mailto:jack.i.frankel@usdoj.gov)

**United States Bankruptcy Court  
Eastern District of Virginia  
Alexandria Division**

**In re:**

**Case No. 23-10919-BFK**

**BF Management LLC**

**Debtor.**

**Chapter 7**

**Objection to the Application to Employ Debtor's Attorney**

Comes Now, Gerard R. Vetter, Acting United States Trustee for Region 4, and files this objection to the application to approve the employment of John P. Forest, II, as attorney for the Debtor. Docket No. 42.

1. On June 1, 2023, the Debtor filed a petition for relief under Chapter 11 of the Bankruptcy Code. Docket No. 1.
2. The Debtor is a single member LLC. It has no employees, no on-going business activities, no income.
3. John P. Forest, II, is the Debtor's attorney.
4. On July 28, 2023, the Acting United States Trustee filed a motion to dismiss or convert this case to Chapter 7. Docket No. 34.
5. On September 12, 2023, the case was converted to Chapter 7. Docket No. 47.
6. On September 12, 2023, the disclosure of compensation of attorney for Debtor was filed. Docket No. 41.
7. On September 12, 2023, the application to approve the employment of John P. Forest, II, as attorney for the Debtor was filed. Docket No. 42.

**Objection to Approval of the Employment**

More than three months passed between the filing of this case and the filing of the attorney's employment application.

Absent extraordinary circumstances, this three-month delay in filing the employment application is unacceptable.

The employment of attorneys and other professionals in Chapter 11 cases is a critical element in the Chapter 11 process. Timely court review of bankruptcy employment applications is essential for maintaining public confidence in the bankruptcy process and the administration of justice. An unexcused delay in filing the employment application is an affront to the bankruptcy process. It undermines creditor and public confidence. It should not be sanctioned.

Additionally, the attorney's disclosure of compensation statement should have been filed within 14 days after the order for relief. Bankruptcy Rule 2016(b).

The employment application should be denied.

Gerard R. Vetter  
Acting United States Trustee  
For Region 4

/s/ Jack Frankel  
Jack Frankel, Attorney

**Certificate of Service**

I hereby certify that on the 19<sup>th</sup> day of September, 2023, I e-mailed a copy of this objection John P. Forest, II, attorney for Debtor, Email: [john@forestlawfirm.com](mailto:john@forestlawfirm.com)

/s/ Jack Frankel